

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

FILED-CLERK
U.S. DISTRICT COURT

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GERALD DEMARSH, SR.,
Plaintiff,

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TEXAS-EASTERN

CASE NO. 4:07CV173

v.

HEALTHNET FEDERAL SERVICES,
INC., BEN YATES, AND DIRECTORS
OF HEALTH NET SERVICES, INC.,
Defendants.

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On May 14, 2008, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendants' Motions to Dismiss (Dkts. 21 & 23) be granted and that Plaintiff's case be dismissed with prejudice.

The court has made a *de novo* review of the objections raised by Plaintiff. The court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections of the Plaintiff are without merit. Therefore, the court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this court, and GRANTS Defendants' Motions to Dismiss (Dkts. 21 & 23).

IT IS SO ORDERED.

SIGNED this 12th day of July, 2008.



RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE